

MINUTES
BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD
January 28, 2013

I. CALL TO ORDER AND ESTABLISH QUORUM

Kimble Richardson called the meeting to order at 9:04 a.m. in Room W-064, 402 West Washington Street, Indianapolis, Indiana and determined that a quorum could be established, in accordance with IC § 25-23.6-2.

Members Present:

Kimble Richardson, M.S., L.M.H.C., L.C.S.W., L.M.F.T., L.C.A.C., Board Chair
George Brenner, M.S., L.C.S.W., L.M.F.T., L.C.A.C., Board Vice Chair
Andrew Harner, M.S.W., L.C.S.W., SW Section Chair
Carla Gaff-Clark, Ed.D, L.M.H.C., CADAC-IV, L.C.A.C., AC Section Chair
Rex Stockton, Ed.D. L.M.H.C., L.C.S.W., L.M.F.T, MHC Section Chair
Chris Falley, L.M.F.T.
Alan Schmetzer, M.D.
Steven Douglas, J.D.

Members Absent:

Sherry Rediger, Ph.D., L.M.F.T.
Roger Reeves
Vacant, Social Work Member

Staff Present:

Thomas McGee, Board Director
Ronnie Saunders III, Assistant Board Director
Gordon White, Legal Counsel, Office of the Attorney General

II. ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda, as amended.

BRENNER/DOUGLAS
Motion carried 8-0-0

III. PERSONAL APPEARANCES

a. Robert A. Hundt, 34004333A
Re: Probationary Appearance

Mr. Hundt indicated that he continues to meet all the stipulations of his probation. He reports providing counseling only for males or couples, but not females. Mr. Hundt indicated that he is meeting with his supervisor biweekly and remains in compliance with all of his probationary requirements. The board also found Mr. Hundt in compliance. The Board indicated that Mr. Hundt did not need to appear until the May meeting.

b. Brian Michael Andree, LSW Applicant
Re: Positive Response on Initial Application

Mr. Andree appeared before the Board to discuss the positive response on his initial application for licensure in the state of Indiana.

Mr. Andree indicated that during the time that he was in high school and in early college, he made some bad decisions regarding drugs and alcohol. He indicated that his major problem has been with cocaine and that he had a lesser problem with alcohol. He indicated that he currently does not engage in any formal support for addiction, but does have a strong support structure in place at home and at his employment. He underwent an intensive outpatient program in Bloomington, Indiana at Amethyst House for cocaine abuse after being arrested for possession of cocaine. He indicated that he successfully

completed this program and the drug charges were later dismissed. He indicated that he was not aware of what his specific diagnosis was.

He is currently employed with Hoosier Veterans Assistance Foundation with Bryan Dysert as his LCSW supervisor.

A motion was made and seconded to approve his application to sit for the examination and his application upon successfully passing the examination.

HARNER/BRENNER
Motion Carried 8-0-0

c. Brandon Andrews, 86000272A
Re: Review of Original Application

Mr. Andrews was asked to appear to discuss his initial application for licensure. The Board reviewed his history and determined that he does not have the required 10 years required for grandfathering. As he did not have the required experience, his initial licensure should not have been issued.

A motion was made and seconded to rescind Mr. Andrew's application for licensure

Brenner/Gaff-Clark
Motion Carried 8-0-0

IV. ADMINISTRATIVE HEARINGS

A. In the Matter of Elizabeth Hattab

Administrative Cause No. 2012 BHSB 023

Re: Petition for Review of Notice of Non-Compliance with Continuing Education Audit

Parties and Counsel Present:

Elizabeth Hattab

Participating Board Members:

Mr. Richardson (Hearing Officer)
Mr. Harner
Mr. Brenner
Dr. Stockton
Dr. Gaff-Clark
Dr. Schmetzer
Ms. Falley
Mr. Douglas

Non-Participating Board Members:

Dr. Rediger
Mr. Reeves

Case Summary:

Ms. Hattab provided the Board with documentation of all the continuing education she has completed. The Board admitted the proffered document into evidence. Ms. Hattab indicated that she had intended to retire as a counselor in 2011, but decided to renew her license as she was interested in continuing as an educator. She indicated that she had believed that she was up to date with her continuing education requirements and was embarrassed to find out that she was deficient.

A motion was made and seconded to recess the hearing until March 25, 2012 to give Ms. Hattab the opportunity to provide evidence of additional continuing education.

Schmetzer/Stockton
Motion Carried 6-2-0

Opposed – Harner, Douglas

B. In the Matter of James R. Yoder, 34001955A

Administrative Cause No. 2012 BHSB 018

Re: Petition for Review of Notice of Non-Compliance with Continuing Education Audit

Parties and Counsel Present:

Participating Board Members:

Mr. Richardson (Hearing Officer)
Mr. Harner
Mr. Brenner
Dr. Stockton
Dr. Gaff-Clark
Dr. Schmetzer
Ms. Falley
Mr. Douglas

Non-Participating Board Members:

Dr. Rediger
Mr. Reeves

Case Summary:

Mr. Yoder indicated that he was very sorry that he was not able to complete all of the required continuing education. The board reviewed all of his offered evidence of completion of continuing education. Upon review, the Board found that he had satisfied all of his required continuing education units, except for the required two hours of ethics.

A motion was made and seconded to modify the notice of noncompliance to require a fee of \$100.00 and completion of two hours of ethics.

REDIGER/HARNER
Motion Carried 0-0-0

C. In the Matter of Amanda Leigh Trenta, 34004881A

Administrative Cause No. 2012 BHSB 019

Re: Petition for Review of Notice of Non-Compliance with Continuing Education Audit

Parties and Counsel Present:

Participating Board Members:

Mr. Richardson (Hearing Officer)
Mr. Harner
Mr. Brenner
Dr. Stockton
Dr. Gaff-Clark
Dr. Schmetzer
Ms. Falley
Mr. Douglas

Non-Participating Board Members:

Dr. Rediger
Mr. Reeves

Case Summary:

A motion was made and seconded to recess the hearing until May 13, 2013.

HARNER/DOUGLAS
Motion Carried 7-0-1

Abstention – Brenner

D. In the Matter of Gregory John Sureck, 35000247A

Administrative Cause No. 2012 BHSB 020

Re: Petition for Review of Notice of Non-Compliance with Continuing Education Audit

Parties and Counsel Present:

Participating Board Members:

Mr. Richardson (Hearing Officer)
Mr. Harner
Mr. Brenner
Dr. Stockton
Dr. Gaff-Clark
Dr. Schmetzer
Ms. Falley
Mr. Douglas

Non-Participating Board Members:

Dr. Rediger
Mr. Reeves

Case Summary:

A motion was made and seconded to request Mr. Sureck to provide medical documentation of his illness.

HARNER/BRENNER
Motion Carried 8-0-0

E. In the Matter of Lovada M. Merriweather, 34001098A, 35000523A

Administrative Cause No. 2012 BHSB 013

Re: Complaint

Parties and Counsel Present:

Roberta Hirsch, DAG

Participating Board Members:

Mr. Richardson (Hearing Officer)
Mr. Harner
Mr. Brenner
Dr. Stockton
Dr. Gaff-Clark
Dr. Schmetzer

Ms. Falley
Mr. Douglas

Non-Participating Board Members:

Ms. Falley
Dr. Rediger
Mr. Reeves

Case Summary:

A motion was made and seconded to hold Ms. Merriweather in default.

DOUGLAS/HARNER
Motion Carried 8-0-0

Ms. Hirsch went on to present criminal documentation for the U.S District Court for the Southern District of Indiana (Indianapolis) regarding the conviction of Ms. Merriweather for engaging in Medicaid fraud by submitting false claims for sessions which were not provided. Both of Ms. Merriweather's licenses are currently expired.

A motion was made and seconded to revoke Ms. Merriweather's licenses and assess a fine of two thousand dollars, one thousand dollars by count.

DOUGLAS/SCHMETZER
Motion Carried 8-0-0

V. Presentation – Juliet King, Director of Art Therapy, Herron School of Art and Design

Juliet King, Director of Art Therapy at the Herron School of Art and Design, appeared before the Board. She indicated to the Board that the profession of Art Therapy is currently advocating before the state legislature for licensure for Art Therapists, a Masters level mental health professional. Ms. King explained that Art Therapy is based on using the creative process to help treat a variety of clients and disorders. Ms. King indicated that there was a current bill pending in the legislature which would license art therapists and add them into the professions regulated by the behavioral health and human services licensing board. Ms. King disclosed that the bill currently does not have a sponsor. Ms. King indicated that even if the art therapy bill was successful this session, they intend to proceed forward in the future.

VI. CE SPONSOR APPLICATION REVIEW

a. Edgewater Systems of Balanced Living

A motion was made and seconded to require Edgewater Systems of Balanced Living to provide additional information regarding the continuing education program.

SCHMETZER/HARNER
Motion Carried 8-0-0

b. Indianapolis Counseling Center

A motion was made and seconded to accept Indianapolis Counseling Center as a Continuing Education Sponsor provider.

SCHMETZER/HARNER
Motion Carried 8-0-0

c. Ellen Dunnigan/Alzheimer's Care Group

A motion was made and seconded to accept Ellen Dunnigan/Alzheimer's Care Group as a Continuing Education Sponsor provider.

SCHMETZER/HARNER
Motion Carried 8-0-0

VII. FORMAL ADOPTION OF APPLICATION REVIEWS

A motion was made and seconded to approve the recommendations made by each section of the Board for the licensure application reviews conducted from 8:00 a.m. to 9:00 a.m., and at any other time since the previous board meeting.

HARNER/GAFF-CLARK
Motion carried 8-0-0

VIII. OLD/NEW BUSINESS

A. Licensure Reinstatement for Licenses Expired for Three-Plus Years Recommendations

1. Anna Jo Wyman, 33002718A

A motion was made and seconded to renew her licenses pending the passing of the Masters level ASWB exam and the jurisprudence examination.

HARNER/SCHMETZER
Motion carried 8-0-0

2. Katherine J. Martin, 34005074A

A motion was made and seconded to accept her application to renew her license pending the passing of the jurisprudence examination.

HARNER/SCHMETZER
Motion carried 8-0-0

3. Nancy L. Ford, 34002616A

A motion was made and seconded to renew her license pending the passing of the Clinical level ASWB exam and the jurisprudence examination.

HARNER/SCHMETZER
Motion carried 8-0-0

4. Kelly Huffman Dunn, 39000827A

A motion was made and seconded to renew her license pending the passing of the NCMHCE and the jurisprudence examination.

HARNER/SCHMETZER
Motion carried 7-0-1

Abstention – Rex Stockton

5. Barbara Ellen Serynek, 39001440A

A motion was made and seconded to require her to provide a written explanation of what professional work she has been engaged in and inform her that she will need to take the licensure examination to qualify for licensure.

HARNER/SCHMETZER
Motion carried 8-0-0

6. Daniel W. Rau, 33002271A

A motion was made and seconded to renew his license pending the passing of the Masters level ASWB exam and the jurisprudence examination.

HARNER/SCHMETZER
Motion carried 8-0-0

7. Nigar Masud, 35000559A

A motion was made and seconded to renew his license pending the passing of the AMFTRB examination and the jurisprudence examination.

REDIGER/SCHMETZER
Motion carried 8-0-0

8. Maureen Louise Fetters, 34003751A

A motion was made and seconded to renew her license pending her submitting an additional 0.5 hours of continuing education and passing the jurisprudence examination.

HARNER/SCHMETZER
Motion carried 8-0-0

9. David R. Wilson, 34002009A

A motion was made and seconded to renew his license pending the passing of the Clinical level ASWB exam and the jurisprudence examination.

HARNER/SCHMETZER
Motion carried 8-0-0

B. Melissa Small – Review of Obtaining Post-Graduate Experience

After discussion, the Board determined to allow Ms. Small an additional 48 months to complete her post-graduate experience requirements and to inform her that all of her supervision under Dr. Don Kristen Small will not be accepted.

C. Telephonic Participation at Board Meetings

Adopted

Schmetzer

D. Resolution of Authority

Adopted

E. Elections

A motion was made and seconded to appoint:

George Brenner, Board Chair,
Chris Falley, Vice Chair.
Sherry Rediger, LMFT Section Chair
Carla Gaff-Clark, LCAC Section Chair
Kimble Richardson, LMHC Section Chair
Andrew Harner, LCSW Section Chair

Schmetzer/Rediger
Motion carried 8-0-0

F. Presentation from ICAADA

Craig Andler, Director for ICAADA, presented to the board regarding an opportunity for his program to allow individuals graduating from a Masters addiction counseling program to take the examination at the time of graduation rather than waiting until they are submitting a licensure application with the board. Mr. Andler requested that in these cases the board accept the scores at the time of application, even though the exam would have been taken two years prior to application. Mr. Andler confirmed that the applicant would be taking exactly the same examination required for licensure through this program. The Board indicated that this proposed program would be acceptable and the board would accept the examination at the time of application.

IX. ADMINISTRATORS' REPORT

Mr. McGee informed the Board that there were no bills currently pending in the state legislature which would directly affect the Board, other than the Art Therapy bill previously discussed by Juliet King. Mr. McGee indicated that there was a bill pending which would include mental health professionals into the group who could be held criminally responsible for engaging in child seduction. Mr. McGee reminded the board that there were opportunities available for new board members to attend training through the ASWB.

X. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 2:51 p.m.

**Kimble Richardson, M.S., L.M.H.C., L.C.S.W., L.M.F.T., L.C.A.C., Board President
Behavioral Health and Human Services Licensing Board**